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<b>TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A SUBMISSION UNDER 35 U.S.C. 371</b>		ATTORNEY'S DOCKET NUMBER <b>9896-039/NP</b>
INTERNATIONAL APPLICATION NO. <b>PCT/CN02/00220</b>		U.S. APPLICATION NO. (If known, see 37 CFR 1.5) <b>10/500,598</b>
INTERNATIONAL FILING DATE <b>29 March 2003 (29.03.2003)</b>	PRIORITY DATE CLAIMED <b>30 December 2001 (30.12.2001)</b>	
TITLE OF INVENTION <b>A METHOD DISTINGUISHING LINE OF SIGHT (LOS) FROM NON-LINE OF SIGHT (NLOS) IN CDMA MOBILE COMMUNICATION SYSTEM</b>		
APPLICANT(S) FOR DO/EO/US <b>DIAO, Xinxu and GUO, Fangfu</b>		

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☐ This is a **FIRST** submission of items concerning a submission under 35 U.S.C. 371.
2. ☒ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a submission under 35 U.S.C. 371.
3. ☐ This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below.
4. ☐ The US has been elected (Article 31).
5. ☐ A copy of the International Application as filed (35 U.S.C. 371(c)(2))
  - a. ☐ is attached hereto (required only if not communicated by the International Bureau).
  - b. ☐ has been communicated by the International Bureau.
  - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US).
6. ☐ An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)).
  - a. ☐ is attached hereto.
  - b. ☐ has been previously submitted under 35 U.S.C. 154(d)(4).
7. ☐ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))
  - a. ☐ are attached hereto (required only if not communicated by the International Bureau).
  - b. ☐ have been communicated by the International Bureau.
  - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
  - d. ☐ have not been made and will not be made.
8. ☐ An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
9. ☒ An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).
10. ☐ An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).

**Items 11 to 20 below concern document(s) or information included:**

11. ☐ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
12. ☐ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
13. ☒ A preliminary amendment.
14. ☐ An Application Data Sheet under 37 CFR 1.76.
15. ☐ A substitute specification.
16. ☐ A power of attorney and/or change of address letter.
17. ☐ A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821- 1.825.
18. ☐ A second copy of the published International Application under 35 U.S.C. 154(d)(4).
19. ☐ A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).
20. ☒ Other items or information: **Express Mail Transmittal (Label EV 570 159 384 US), check for \$130.00, Copy of Notification of Missing Requirements under 35 USC 371, and Return Receipt Postcard.**

This collection of information is required by 37 CFR 1.414 and 1.491-1.492. The information is required to obtain or retain a benefit by the public, which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 15 minutes to complete, including gathering information, preparing, and submitting the completed form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop PCT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

U.S. APPLICATION NO. (if known, see 37 CFR 1.5) <b>10/500,598</b>		INTERNATIONAL APPLICATION NO. <b>PCT/CN02/00220</b>		ATTORNEY'S DOCKET NUMBER <b>9896-039/NP</b>																	
21. The following fees are submitted: <input type="checkbox"/> a) Basic national fee..... <b>\$300.00</b> <input type="checkbox"/> b) Examination fee..... <b>\$200.00</b> <input type="checkbox"/> c) Search fee..... <b>\$500.00</b> <b>TOTAL OF ABOVE CALCULATIONS = \$1000.00</b> <input type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing or computer program listing filed in an electronic medium). The fee is <b>\$250</b> for each additional 50 sheets of paper or fraction thereof.				Applicant use	Office use only																
				\$																	
				\$																	
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<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 15%;">Total Sheets</td> <td style="width: 15%;">Extra sheets</td> <td style="width: 30%;">Number of each additional 50 or fraction thereof (round up to a whole number)</td> <td style="width: 10%;">RATE</td> </tr> <tr> <td style="text-align: center;">- 100 =</td> <td style="text-align: center;">/50 =</td> <td></td> <td style="text-align: center;">x \$250.00</td> </tr> </table>				Total Sheets	Extra sheets	Number of each additional 50 or fraction thereof (round up to a whole number)	RATE	- 100 =	/50 =		x \$250.00										
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- 100 =	/50 =		x \$250.00																		
Surcharge of <b>\$130.00</b> for furnishing the oath or declaration later than 30 months from the earliest claimed priority date (37 CFR 1.492(e)).				\$	130.00																
<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 15%;">CLAIMS</td> <td style="width: 15%;">NUMBER FILED</td> <td style="width: 15%;">NUMBER EXTRA</td> <td style="width: 10%;">RATE</td> </tr> <tr> <td>Total claims</td> <td style="text-align: center;">15 - 20 =</td> <td style="text-align: center;">0</td> <td style="text-align: center;">x \$50.00</td> </tr> <tr> <td>Independent claims</td> <td style="text-align: center;">1 - 3 =</td> <td style="text-align: center;">0</td> <td style="text-align: center;">x \$200.00</td> </tr> <tr> <td colspan="3">MULTIPLE DEPENDENT CLAIM(S) (if applicable)</td> <td style="text-align: center;">+ \$360.00</td> </tr> </table>				CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE	Total claims	15 - 20 =	0	x \$50.00	Independent claims	1 - 3 =	0	x \$200.00	MULTIPLE DEPENDENT CLAIM(S) (if applicable)			+ \$360.00	\$	0.00
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE																		
Total claims	15 - 20 =	0	x \$50.00																		
Independent claims	1 - 3 =	0	x \$200.00																		
MULTIPLE DEPENDENT CLAIM(S) (if applicable)			+ \$360.00																		
<b>TOTAL OF ABOVE CALCULATIONS =</b>				\$	130.00																
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2.				\$	0.00																
<b>SUBTOTAL =</b>				\$	130.00																
Processing fee of <b>\$130.00</b> for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(f)).				\$	0.00																
<b>TOTAL NATIONAL FEE =</b>				\$	130.00																
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). <b>\$40.00</b> per property				\$	0.00																
<b>TOTAL FEES ENCLOSED =</b>				\$	130.00																
<div style="display: flex; justify-content: space-between;"> <div> <del>01/24/2005 SHAJARRO 00000066 10500598</del>  <b>01 FC:1617</b> </div> <div> <b>130.00 OP</b> </div> <div>           Amount to be refunded:            Amount to be charged         </div> </div>					\$																

a. ☒ A check in the amount of \$ 130.00 to cover the above fees is enclosed.

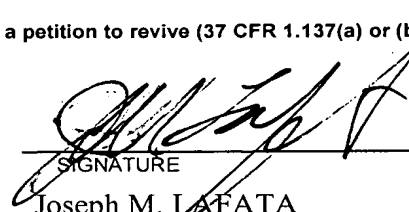
b. ☐ Please charge my Deposit Account No. \_\_\_\_\_ in the amount of \$ \_\_\_\_\_ to cover the above fees. A duplicate copy of this sheet is enclosed.

c. ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 08-0750. A duplicate copy of this sheet is enclosed.

d. ☐ Fees are to be charged to a credit card. **WARNING:** Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

**NOTE:** Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the International Application to pending status.

SEND ALL CORRESPONDENCE TO:  
 Joseph M. LAFATA  
 HARNESS, DICKEY & PIERCE, P.L.C.  
 P. O. BOX 828  
 Bloomfield Hills, MI 48303  
 United States of America

  
 SIGNATURE  
 Joseph M. LAFATA  
 NAME  
 37,166  
 REGISTRATION NUMBER  
 Date: 17 January 2005



## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/500,598	Xinxi Diao	9896-039/NP

INTERNATIONAL APPLICATION NO.	
PCT/CN02/00220	
I.A. FILING DATE	PRIORITY DATE
03/29/2002	12/30/2001

Joseph M. Lafata  
Harness Dickey & Pierce  
Po Box 828  
Bloomfield Hills, MI 48303

CONFIRMATION NO. 4771

## 371 FORMALITIES LETTER



\*OC000000014855705\*

Date Mailed: 12/30/2004

### NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 06/30/2004
- English Translation of the IA filed on 06/30/2004
- Copy of the International Search Report filed on 06/30/2004
- Information Disclosure Statements filed on 09/30/2004
- U.S. Basic National Fees filed on 06/30/2004
- Priority Documents filed on 06/30/2004

The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Additional claim fees of **\$360** as a non-small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due.
- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
- **\$130** Surcharge for providing the oath or declaration later than 30 months from the priority date (37 CFR 1.492(e)) is required.

## SUMMARY OF FEES DUE:

Total additional fees required for this application is **\$490** for a Large Entity:

- **\$130** Late oath or declaration Surcharge.
- Total additional claim fee(s) for this application is **\$ 360**
  - **\$360** for multiple dependent claim surcharge.

**ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

KAREN M WILLIAMS

Telephone: (703) 305-3688

**PART 1 - ATTORNEY/APPLICANT COPY**

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/500,598	PCT/CN02/00220	9896-039/NP

FORM PCT/DO/EO/905 (371 Formalities Notice)

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Express Mail No.: EV 570 159 384 US

Date of Deposit: 17 January 2005

Application No.: 10/500,598 – (371 of PCT/CN02/00220)

International  
Filing Date: 29 March 2002 (29.03.2002)

Applicant: DIAO, et al.

Title: A METHOD DISTINGUISHING LINE OF SIGHT  
(LOS) FROM NON-LINE OF SIGHT (NLOS) IN CDMA  
MOBILE COMMUNICATION SYSTEM

Attorney Docket: 9896-039/NP

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Mail Stop PCT  
Commissioner for Patents  
P. O. Box 1450  
Alexandria, Virginia 22313-1450**EXPRESS MAIL TRANSMITTAL**

The following papers are being deposited with the United States Postal Service Express Mail Post Office To Addressee on 17 January 2005 and addressed for receipt by the United States Patent and Trademark Office:

1. Express Mail Transmittal (Label No. EV 570 159 384 US);
2. Check in the amount of \$130.00;
3. Transmittal Letter to the US Designated/Elected/Office Concerning a Filing Under 35 USC 371 (2 pages, in duplicate)
4. Signed Declaration and Power of Attorney (3 pages);
5. Preliminary Amendment (8 pages);
6. Copy of Notification of Missing Requirements Under 35 USC 371;
7. Return Receipt Postcard.

HARNES, DICKEY & PIERCE, P.L.C.  
P.O. Box 828  
Bloomfield Hills, Michigan 48303  
(248) 641-1600